

## **Advocacy Recommends FCC Exempt Small Businesses from Proposed Rules to “Unlock the Box”**

On May 31, 2016, the Office of Advocacy submitted an *ex parte* letter to the Federal Communications Commission (FCC), asking the FCC to further analyze the small business impact of its proposed rules under Section 629 of the Communications Act. The FCC proposed rules that would require multi-channel video programming distributors (MVPDs) to supply certain programming information in formats that conform to specifications set by open standards bodies. The FCC published an Initial Regulatory Flexibility Analysis (IRFA) with its proposal, but did not attempt to quantify the impact that the rule would have on small MVPDs. Numerous commenters, including small MVPDs, as well as public interest groups and technology companies supporting the rule, have indicated to the FCC that the proposed rule will disproportionately affect small MVPDs. These stakeholders have also suggested that the FCC can exempt small MVPDs from the regulations, while still achieving its Section 629 goals. In comments, Advocacy noted:

- The FCC’s proposal would have a significantly disproportionate impact on small MVPDs which must be analyzed under the RFA.
- Given the significant impact of the proposal on small entities, the FCC should analyze the extent to which any regulatory alternatives to the proposal can mitigate those costs.
- Specifically, Advocacy requested that the FCC adopt an exemption from the regulations for small MVPDs, and that the FCC incorporate a discussion of its rationale for either adopting or rejecting that alternative in its Final Regulatory Flexibility Analysis.
- Advocacy highlighted numerous comments in the docket that provide factual and legal support for a decision to exempt small MVPDs.

You can view Advocacy’s comments online [here](#). For additional information, please contact Assistant Chief Counsel Jamie Saloom at 202/205-6890, or [Jamie.Saloom@sba.gov](mailto:Jamie.Saloom@sba.gov).